



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

September 18, 1998

Mr. Paul F. Wieneskie  
Cribbs & McFarland, P.C.  
P.O. Box 13060  
Arlington, Texas 76094-0060

OR98-2241

Dear Mr. Wieneskie:

On behalf of the City of Euless (the "city"), you ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 118188.

The City of Euless ("the city") received a request for the complete arrest reports for Raymond Clay Jackson and Kristene Jackson. You contend that these reports are excepted from disclosure under section 552.108 of the Government Code. As we construe your request, you do not seek to withhold the "first page" information of these reports. You have supplied the requested documents. We have considered the exceptions you claim and have reviewed the documents at issue.

Section 552.108(a)(1) excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime." You state that the requested reports relate to ongoing investigations. Based upon this representation, we conclude that the release of the reports would interfere with the detection, investigation, or prosecution of crime. *See Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App. – Houston[14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W. 2d 559 (Tex. 1976) (court delineates law enforcement interests that are present in active cases).

We note, however, that information normally found on the front page of an offense report is generally considered public. *See generally* Gov't Code § 552.108(c); *Houston Chronicle*, 531 S.W.2d 177; Open Records Decision No. 127 (1976). Thus, you must release the type of information that is considered to be front page offense report information, including a detailed description of the offense and arrest, even if this information is not

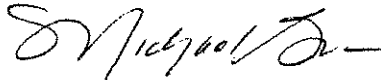
actually located on the front page of the offense report. In Open Records Decision No. 127 (1976), this office summarized the front page information of an offense report.

Although section 552.108(a)(1) authorizes you to withhold the remaining information from disclosure, you may choose to release all or part of the information at issue that is not otherwise confidential by law. *See* Gov't Code § 552.007.

Because we are able to make a determination under Gov't Code section 552.108(a), we do not address your arguments under other subsections.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Michael Jay Burns  
Assistant Attorney General  
Open Records Division

MJB/ch

Ref: ID# 1115188

Enclosures: Submitted documents

cc: Raymond Clay Jackson  
7025 Bernadine  
Watauga, Texas 76148  
(w/o enclosures)